

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

**IN RE:
SHAUN L RAINEY**

Debtor

) **CASE NO: 20-41114-399**
) **Chapter 13**
)
) **Trustee's Objection to Confirmation**
) **Original Confirmation Hearing set for :**
) **May 6, 2020 10:00 am**

TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN

COMES NOW Diana S. Daugherty, Standing Chapter 13 Trustee, and for her objection to confirmation states as follows:

1. The plan does not represent Debtor's best efforts to repay creditors, 11 U.S.C. § 1325(b), in that:
The B12C-2 form contains an error that, if corrected, would require a guarantee of \$11,587. Line 43 deducts a \$215 reduction in income as if it were an expense. The instructions for line 43 call for listing additional expenses for which there is no reasonable alternative.
2. The plan does not contain enough funds to pay secured and priority creditors in full and pay the amount guaranteed to general unsecured creditors (if any). 11 U.S.C. §§ 1322(a)(2) and 1325(a)(5)(B)(ii). The approximate amount of the shortfall is \$2,500.
3. The Debtor has not filed 2016, 2017, 2018, 2019 pre-petition tax returns. 11 U.S.C. § 1325(a)(9).

WHEREFORE the Trustee prays the Court enter its order denying confirmation of the proposed plan.

Dated: April 23, 2020

OBJCONF--DSD

/s/ Diana S. Daugherty

Diana S. Daugherty

Standing Chapter 13 Trustee

P.O. Box 430908

St. Louis, MO 63143

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was filed electronically on April 23, 2020, with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List.

I certify that a true and correct copy of the foregoing document was filed electronically with the United States Bankruptcy Court, and has been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to those parties listed on the Court's Manual Notice List and listed below on April 23, 2020.

SHAUN L RAINEY
8558 MARKDALE DR
SAINT LOUIS, MO 63114

/s/ Diana S. Daugherty
Diana S. Daugherty